

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES and EXCHANGE COMMISSION,

Plaintiff,

-v-

SOLARWINDS CORP. & TIMOTHY G. BROWN,

Defendants.

23 Civ. 9518 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court directs counsel for all parties to appear at an initial pretrial conference with the Court on **December 14, 2023 at 2 p.m.** in Courtroom 1305 at the Thurgood Marshall U.S. Courthouse, 40 Centre Street, New York, New York 10007. All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time, and counsel are directed to appear promptly. All pretrial conferences must be attended by the attorney who will serve as principal trial counsel.

The Court directs counsel for all parties to:

- Confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at a Federal Rule of Civil Procedure 16 conference.
- Prepare a Civil Case Management Plan and Scheduling Order in accordance with the Court's Individual Rules, available at <https://nysd.uscourts.gov/hon-paul-engelmayer>, to be submitted to the Court no later than **December 11, 2022**.
- Prepare a joint letter, not to exceed three pages in length, to be submitted to the Court no later than **December 11, 2023**, addressing the following topics in

separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s), and the history of the case; (2) any contemplated motions; and (3) the prospect for settlement. For the Court's convenience, the parties are requested to set forth the date and time of the conference in the opening paragraph of the letter.

- Register as filing users in accordance with the Procedures for Electronic Case Filing prior to the date of the initial pretrial conference.
- Email to EngelmayerNYSDChambers@nysd.uscourts.gov, no later than twenty-four hours before the conference, the names of any counsel who wish to enter an appearance at the conference.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via e-mail to the Orders and Judgment Clerk at the following e-mail address: orders_and_judgments@nysd.uscourts.gov.

Requests for adjournment may be made only in a writing received no later than two business days before the conference. The written submission must comply with Section 1.E of the Court's Individual Rules. Unless counsel are notified that the conference has been adjourned, it will be held as scheduled.

Plaintiff's counsel is directed (1) serve a copy of this order upon all attorneys in this action, and (2) to file proof of such notice with the Court. If plaintiff's counsel is unaware of the identity of counsel for any of the parties, plaintiff's counsel must forthwith send a copy of this order to that party personally.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer".

PAUL A. ENGELMAYER
United States District Judge

Dated: December 6, 2023
New York, New York